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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,698	01/10/2002	Yoshifumi Tanimoto	81800.0177	9845

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EXAMINER

BURGESS, BARBARA N

ART UNIT PAPER NUMBER

2157

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/045,698

Applicant(s)

TANIMOTO, YOSHIFUMI

Examiner

Barbara N Burgess

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 8-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 8-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1-10-02
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

TK

DETAILED ACTION

This Office Action is in response to Election/Restriction filed March 16, 2005.

Applicants elect claims 1-4 and 8-20. Claims 1-4 and 8-20 are presented for examination.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 8-9, 11-18, and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Kihl et al. (US Patent No. 6,222,536 B1).

As per claims 1, 8, Kihl discloses a relay server comprising:

- Communicating means and device for communicating with a plurality of network devices (column 1, lines 55-58);
- Connection information holding means and device for holding connection information of the network devices capable of communicating by the communicating means (column 3, lines 49-54);

- Wherein the communicating means and device carries out communication with the network devices in accordance with the connection information, and relays data between the network devices in accordance with connection demand information generated from one of the plurality of network devices (column 4, lines 12-45).

As per claim 2, Kihl discloses a communication system comprising:

- a plurality of network devices (column 1, lines 55-58);
- A relay server connected to the plurality of network devices via a network, wherein a first network device of the plurality of network devices establishes a communication path with the relay server, and generates a connection demand for communication with a second network device of the plurality of network devices to the relay server when communicating with the second network device (column 3, lines 3-22);
- the relay server relays the communication between the first and second network devices by using a communication path established in advance in accordance with the connection demand from the first network device (column 3, lines 32-42).

As per claims 3, Kihl discloses the communication system according to claim 2 wherein the first network device is located in a local system, and connection to the first network device from outside the local system is limited (column 3, lines 3-8).

As per claim 9, Kihl discloses the relay server according to claim 8, wherein a first network device of the plurality of network devices is located in a local system, and connection to the first network device from outside the local system is limited (column 3, lines 3-8).

As per claim 11, Kihl discloses the relay server according to claim 8, wherein the relay server is connected to the Internet (column 1, lines 16-20, 50-57).

As per claim 12, Kihl discloses the relay server according to claim 8, wherein the relay server includes a global IP address (column 3, lines 5-7).

As per claim 13, Kihl discloses the relay server according to claim 8, wherein the connection information includes a user ID and a password (column 7, lines 23-26).

As per claim 14, Kihl discloses the relay server according to claim 1, wherein the relay server is connected to the Internet. (column 1, lines 16-20, 50-57).

As per claim 15, Kihl discloses the relay server according to claim 1, wherein the relay server includes a global IP address (column 3, lines 5-7).

As per claim 16, Kihl discloses the relay server according to claim 1, wherein

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the connection information includes a user ID and a password (column 7, lines 23-26).

As per claim 17, Kihl discloses a method for communicating between a plurality of network devices and a relay server comprising:

- Establishing a communication path between each of a plurality of network devices and a relay server (column 1, lines 55-58);
- Demanding a connection from one of the plurality of network devices to at least one other network device of the plurality of network devices using the relay server (column 3, lines 16-22);
- Relaying a communication between the one network device and the at least one other network device using an established communication path based on the connection demand from the one network device (column 3, lines 32-40).

A per claim 18, Kihl discloses the communication method according to claim 17 further comprising limiting the connection to the network devices from an outer network (column 3, lines 3-10).

As per claim 20, Kihl discloses the communication method according to claim 17 further comprising connecting the relay server to the Internet (column 1, lines 15-20, 50-56).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4, 10, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kihl et al. (US Patent No. 6,222,536 B1) in view of Zakurdaev et al. (hereinafter "Zak", US Patent Publication 2002/0073182 A1).

As per claim 4, Kihl does not explicitly disclose the communication system according to claim 2 wherein the first network device is connected to the relay server via a gateway device having an address converting function.

However, in analogous art, Zak discloses a gateway device that forwards all request and receives and forwards DHCP responses (paragraph [0013]).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Zak's gateway in Kihl's system in order to forward requests to the DHCP server.

As per claim 10, Zak discloses the relay server according to claim 8, wherein a first network device of the plurality of network devices is connected to the relay sever via a gateway device having an address converting function.

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However, in analogous art, Zak discloses a gateway device that forwards all request and receives and forwards DHCP responses (paragraph [0013]).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Zak's gateway in Kihl's system in order to forward requests to the DHCP server.

As per claim 19, Zak discloses the communication method according to claim 17 further comprising connecting the network devices to the relay server via a gateway device having an address converting function.

However, in analogous art, Zak discloses a gateway device that forwards all request and receives and forwards DHCP responses (paragraph [0013]).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Zak's gateway in Kihl's system in order to forward requests to the DHCP server.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barbara N Burgess whose telephone number is (571) 272-3996. The examiner can normally be reached on M-F (8:00am-4:00pm).

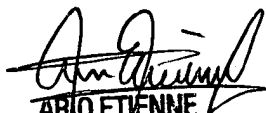
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Barbara N Burgess
Examiner
Art Unit 2157

May 1, 2005


ARIO ETIENNE
ASSISTANT PATENT EXAMINER
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